

MEETINGS TO DATE 3  
NO. OF REGULARS 2  
NO. OF SPECIALS 1

LANCASTER, NEW YORK  
JANUARY 29, 1979

A Special Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 29th day of January, 1979 at 7:00 P.M. and there were

PRESENT: STANLEY JAY KEWSA, SUPERVISOR  
JOSEPH R. BARNHARDT, COUNCILMAN  
EDWARD A. BERENT, COUNCILMAN  
PETER J. BOLENDER, COUNCILMAN  
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

PUBLIC HEARING SCHEDULED FOR 7:00 P.M.:

At 7:00 P.M., the Town Board held a Public Hearing, which was the second of two Public Hearings, the first being held on January 15, 1979, to hear all interested parties and citizens regarding the use \$104,000.00 in Federal Community Development Funds in the Town of Lancaster for the year 1979.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Supervisor, at this point, outlined the purpose of this hearing as he did at the last hearing held on January 15, 1979, and reviewed for those present the general scope and intent of the Housing and Community Development Act of 1974 and outlined the Town's participation in the program for the years 1975, 1976, 1977, and 1978, again commenting upon the establishment of a Starter Fund for restoration of the Opera House in the Town Hall and the participation in a pool-funding program to enable low-income individuals to receive subsidized loans to upgrade their homes and the installation of water lines on Transit Boulevard and the installation of drainage tile on Harris Hill Road.

The Supervisor then presented to the Town Board a Housing Survey for the Town of Lancaster outside the villages as prepared by Krehbiel Associates, Inc., reviewing with the Town Board those areas of the Town where low and moderate income housing is affected by flooding, drainage problems, and general dwelling deterioration.

Councilman Barnhardt reported that approximately \$104,000.00 in Community Development Funds are available for expenditure during 1979; \$29,000.00 unused from 1978 and \$75,000.00 anticipated to be received during 1979.

Councilman Barnhardt, on behalf of the Town Board, proposed expenditure of the funds as follows:

1. \$5,000.00 for fire inspection of low and moderate income homes which would include the cost of a smoke detector installed in each home inspected as an incentive to allow the fire inspectors entrance into the various homes affected.
2. \$10,000.00 for the installation of back-flow valves in Sewer District No. 2 where there is a history of recurring flooding in basements from sanitary sewer back-up.
3. \$36,000.00 for general drainage work throughout the Town.
4. \$27,000.00 for the installation of water lines on the South side of Walden Avenue and to an existing industrial subdivision which is not currently served by a publicly owned municipal water system.
5. \$6,000.00 for the preparation of service maps and booklets to attract industry and to stimulate the creation of new community jobs.
6. \$20,000.00 for improvements to the Lancaster Senior Citizen Center specifically in the area of barrier removal for handicapped persons.

After the Supervisor and Councilman Barnhardt finished with their general comments and proposed expenditures of Community Development Funds, The Supervisor asked if anyone present had any suggestions on how they would propose the funds to be expended.

Mr. Raymond Measer, 23 Benson Drive, Lancaster, New York, asked the Town Board to consider expenditure of some of the Community Development Funds to improve and upgrade the five residential apartments occupied by low and middle income tenants which are part of the Depew-Lancaster Boy's Club Building.

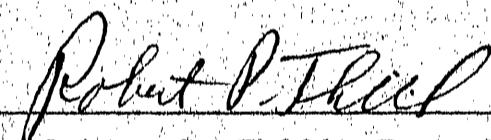
PUBLIC HEARING SCHEDULED FOR 7:00 P.M. CONT'D.:

The Supervisor indicated that the Board would consider this proposed use but did comment, however, that the Village of Lancaster, in which the Depew-Lancaster Boy's Club is located, has its own Community Development Program and receives far greater funds than the Town of Lancaster, outside the villages.

Susan Skinner, 33 School Street, Lancaster, New York, representing the Lancaster-Depew Community Theatre, submitted a proposal to the Town Board for expenditure of some of the Community Development Funds for improvement of the cultural life of the community through the Lancaster-Depew Community Theatre.

ON MOTION BY COUNCILMAN BARNHARDT, AND SECONDED BY COUNCILMAN BERENT AND CARRIED, by unanimous roll call vote the public hearing was closed at 7:50 P.M.

Signed



Robert P. Thill, Town Clerk

LANCASTER, NEW YORK  
FEBRUARY 5, 1979

MEETINGS TO DATE 4  
NO. OF REGULARS 3  
NO. OF SPECIALS 1

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 5th day of February, 1979 at 8:00 P.M. and there were

**PRESENT:**

STANLEY JAY KEWSA, SUPERVISOR

JOSEPH R. BARNHARDT, COUNCILMAN

EDWARD A. BERENT, COUNCILMAN

PETER J. BOLENDER, COUNCILMAN

ARTEL J. METZ, COUNCILMAN

**ABSENT:**

NONE

**ALSO PRESENT:**

ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY

ROBERT W. URBAN, HIGHWAY SUPERINTENDENT

SAMUEL L. SAEVA, RECEIVER OF TAXES

VICTOR H. OTT, POLICE CHIEF

**PUBLIC HEARINGS:**

None

**BID OPENING SCHEDULED AT 8:00 P.M.:**

At 8:00 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster Highway Department the following materials: road oil, crushed stone, blacktop, grit, gravel, cinders, and redi-mix concrete for the 1979 needs of the Town of Lancaster.

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:00 P.M.

Affidavits of publication and posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

<u>BIDDER</u>	<u>BID ON</u>
Buffalo Slag Co., Inc. 111 Great Arrow Avenue Buffalo, New York 14216	Crushed Stone Blacktop
Lancaster Stone Products Corp. 5833 Main Street Buffalo, New York 14221	Crushed Stone Blacktop
Pine Hill Concrete Mix Corp. 2255 Bailey Avenue Buffalo, New York 14211	Gravel Ice Control Grit Redi-mix Concrete
Krantz Asphalt Co., Inc. 701 Elk Street Buffalo, New York 14210	Road Oil
Buffalo Crushed Stone Inc. 8615 Wehrle Drive Williamsville, New York 14221	Crushed Stone Blacktop
Midland Asphalt Corp. 640 Young Street Tonawanda, New York 14150	Road Oil
County Line Stone Co., Inc. County Line Road Akron, New York 14001	Crushed Stone Blacktop
Frey Concrete Inc. 561 Pavement Road Lancaster, New York 14086	Redi-mix Concrete
Frey Sand and Gravel Corp. 561 Pavement Road Lancaster, New York 14086	Gravel Ice Control Grit
Western Bituminous Products Inc. P.O. Box 153 1655 Union Road Buffalo, New York 14224	Road Oil
Robert F. Buyers, Inc. 8390 Main Street Buffalo, New York 14221	Redi-mix Concrete

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN METZ  
AND CARRIED, by unanimous roll call vote, the aforesaid proposals were  
ordered turned over to the Highway Superintendent for examination, tabulation,  
and recommendation.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their monthly reports as follows:

DEPARTMENT

Town Clerk

MONTH

January, 1979

Dog Warden

January, 1979

The Town Clerk reported that the following boards, commissions, bureaus, and committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Planning Board

January 17, 1979

Recreation Commission

January 19, 1979

REPORTS OF TOWN BOARD COMMITTEES:

None

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT, TO WIT:

RESOLVED, that the minutes of the meetings of the Town Board held  
January 15th and January 29th, 1979, as presented by the Town Clerk, be and  
hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted. *dakxx*

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing to the Police Department of the Town of Lancaster, New York, of three (3) new 1979 Police Cars in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on January 15, 1979, and

WHEREAS, Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York, has submitted a "Net Bid with Trade" for the furnishing of three (3) new 1979 Police Cars for the sum of \$15,736.00, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of the above-mentioned automobiles, and further that said bid is the lowest responsible New Bid With Trade submitted conforming with the specifications therefor,

NOW, THEREFORE, BE IT

RESOLVED, that the low Net Bid With Trade, of Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York, in the net amount of \$15,736.00 for three (3) new 1979 Police Cars be and the same is hereby accepted and that order for such automobiles is hereby authorized to be placed and that delivery be made not later than seventy-five (75) days after date of order.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BÖLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

>ckdry

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

RESOLVED, that pursuant to the provisions of Section 284 of the Highway Law of the State of New York, it is agreed by and between the Town Superintendent of Highways of the Town of Lancaster and the Town Board of the Town of Lancaster, that monies levied and collected in the Town of Lancaster for the repair and improvement of highways and received from the State for State Aid for the repair of highways, will be expended in accordance with the agreement executed by the members of the Town Board of the Town of Lancaster and the Town Superintendent of Highways of the Town of Lancaster, dated February 5, 1979.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

xdubyx

The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

RESOLVED, that pursuant to the provisions of Section 284 of the  
Highway Law of the State of New York, it is agreed by and between the Town  
Superintendent of Highways of the Town of Lancaster and the Town Board of the  
Town of Lancaster, that monies levied and collected in the Town of Lancaster  
for the repair and improvement of highways and received from the State for  
State Aid for the repair of highways, will be expended in accordance with the  
agreement executed by the members of the Town Board of the Town of Lancaster  
and the Town Superintendent of Highways of the Town of Lancaster, dated  
February 5, 1979.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

*xkudyc*  
The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, National Fuel Gas Distribution Corporation, by letter  
dated January 25, 1979, has informed the Town of Lancaster that as successor  
to Reserve Gas Company, it has been authorized to lay new pipeline along  
Peppermint Road to serve customers in that area, and

WHEREAS, it will be necessary for the Town of Lancaster to grant  
a Right-of-Way along its property on Peppermint Road to accomplish said work;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute  
a Right-of-Way to National Fuel Gas Distribution Corporation over the  
fifteen (15) feet of the southerly highway bounds of Peppermint Road.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

XXXXX

The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, Lancaster Sanitary Land Fill, Inc., 2255 Bailey Avenue,  
Buffalo, New York, has heretofore been issued a permit and renewals thereof  
to operate a Sanitary Land Fill within the Town of Lancaster for the period  
September 1, 1961 to December 31, 1978 on a parcel of land east of Gunnville  
Road containing approximately 97.5 acres, and

WHEREAS, the permittee has filed an application with the Town  
Clerk of the Town of Lancaster for a renewal of its permit to operate a  
Sanitary Land Fill on this 97.5 acre parcel for the year 1979 in accordance  
with the same terms and conditions as the original permit, and

WHEREAS, the Town Clerk of the Town of Lancaster, by letter dated  
December 11, 1978, has informed the Town Board that he has reviewed the  
renewal application, and also certified that there are no reports or  
additional license fees in arrears,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is  
hereby authorized to issue a renewal permit to Lancaster Sanitary Land Fill,  
Inc., 2255 Bailey Avenue, Buffalo, New York for the purpose of operating a  
Sanitary Land Fill within the Town of Lancaster during the year 1979 on a  
parcel of land containing approximately 97.5 acres, all in accordance with  
the renewal application of the corporation as filed in the Office of the  
Town Clerk with bond amount hereby set by the Town Board in the amount of  
\$25,000.00, and,

BE IT FURTHER

RESOLVED, that the following surety bond be and is hereby approved  
as to form and sufficiency of the surety:

The Travelers Indemnity Company and  
Lancaster Sanitary Land Fill, Inc.  
in the amount of \$25,000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

xxx

The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW  
YORK, ADOPTED FEBRUARY 5, 1979, AUTHORIZING  
THE RECONSTRUCTION OF THE COURT STREET BRIDGE,  
IN THE VILLAGE OF LANCASTER, IN SAID TOWN,  
STATING THE ESTIMATED MAXIMUM COST THEREOF  
IS \$77,500, APPROPRIATING SAID AMOUNT THEREFOR,  
INCLUDING \$3,875 CURRENT FUNDS TO PROVIDE THE  
REQUIRED DOWN PAYMENT, AUTHORIZING THE ISSUANCE  
OF \$73,625 SERIAL BONDS OF SAID TOWN TO FINANCE  
THE BALANCE OF SAID APPROPRIATION, AND PROVIDING  
THAT ANY GRANTS FOR THIS PROJECT RECEIVED FROM  
THE UNITED STATES OF AMERICA AND/OR THE STATE  
OF NEW YORK SHALL BE APPLIED TOWARDS THE COST  
OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION  
OF ANY BONDS ISSUED THEREFOR OR BUDGETED AS AN  
OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL  
OF AND INTEREST ON SAID BONDS.

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE  
COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than  
two-thirds of all the members of said Board) AS FOLLOWS:

Section i. The Town of Lancaster (herein called "Town"),  
in the County of Erie, New York, is hereby authorized to reconstruct  
the Court Street Bridge of concrete and steel construction, in the  
Village of Lancaster, in the Town, including retaining walls and  
apparatus thereto. The estimated maximum cost of said specific  
object or purpose, including preliminary costs and costs inci-  
dental thereto and the financing thereof is \$77,500 and said  
amount is hereby appropriated therefor, including \$3,875 current  
funds of the Town to provide the down payment required by law.  
The plan of financing includes the expenditure of said current funds,

the issuance of \$73,625 serial bonds to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon. Any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Serial bonds of the Town in the principal amount of \$73,625 are hereby authorized to be issued to finance the balance of said appropriation, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law").

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years.

(b) Current funds are required to be provided prior to the issuance of the bonds authorized by this resolution or of any notes in anticipation of the sale of said bonds, and such current funds are available therefor in the budget of the Town under the heading "HIGHWAY FUND - Maintenance of Bridges  
"Item 2 - Contractual Expenses." The Supervisor is hereby authorized and directed to set aside said current funds and to apply the same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall be subject to a permissive referendum.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN  
THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk shall, within ten (10) days  
after the adoption of the bond resolution referred to in the  
form of Notice hereinafter set forth in Section 2 hereof,  
cause to be published at least once in the "LANCASTER ENTERPRISE-  
JOURNAL," a newspaper published in Lancaster, New York,  
having a general circulation in the Town, and hereby designated  
the official newspaper of the Town, for such publication,  
and to be posted on the sign board of the Town maintained  
pursuant to subdivision 6 of Section 30 of the Town Law and  
in at least five (5) public places in the Town, a Notice  
which shall set forth the date of adoption of said bond  
resolution and contain an abstract thereof concisely stating  
its purpose and effect.

Section 2. The Notice referred to in Section 1 hereof  
shall be in substantially the following form:

TOWN OF LANCASTER, NEW YORK

PLEASE TAKE NOTICE that on February 5, 1979, the Town Board of the Town of Lancaster, in the County of Erie, New York, adopted the bond resolution entitled:

"Bond Resolution of the Town of Lancaster, New York, adopted February 5, 1979, authorizing the reconstruction of the Court Street Bridge, in the Village of Lancaster, in said Town, stating the estimated maximum cost thereof is \$77,500, appropriating said amount therefor, including \$3,875 current funds to provide the required down payment, authorizing the issuance of \$73,625 serial bonds of said Town to finance the balance of said appropriation, and providing that any grants for this project received from the United States of America and/or the State of New York shall be applied towards the cost of said specific object or purpose or redemption of any bonds issued therefor or budgeted as an offset to the taxes for payment of the principal of and interest on said bonds,"

an abstract of said resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Town of Lancaster ("Town"), New York, to reconstruct the Court Street Bridge of concrete and steel construction, in the Village of Lancaster, in the Town, including retaining walls and apparatus thereof; STATING the estimated maximum cost thereof is \$77,500 and APPROPRIATING said amount therefor, including \$3,875 current funds of the Town to provide the down payment required by law; STATING the plan of financing includes the expenditure of said current funds, the issuance of \$73,625 serial bonds to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property in the Town to pay the principal of said bonds and the interest thereon; STATING any grants received from the United States of America and/or the State of New York shall be applied to the cost of said specific object or purpose or the redemption of said bonds or any bond anticipation notes issued in anticipation of the sale of said bonds or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds;

SECOND: AUTHORIZING \$73,625 serial bonds of the Town to be issued pursuant to the provisions of the Local Finance Law ("Law"), to finance the balance of said appropriation;

THIRD: DETERMINING AND STATING that the period of probable usefulness of said specific object or purpose is twenty (20) years; that current funds are required to be provided prior to the issuance of the bonds or of any notes in anticipation of the sale of said bonds, and such current funds are available therefor in the budget of the Town under the heading, "HIGHWAY FUND-Maintenance of Bridges - Item 2 - Contractual Expenses," AUTHORIZING AND DIRECTING the Supervisor to set aside said current funds and to apply the same solely to said specific object or purpose; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to issuance of said bonds, and any bond anticipation notes, and renewals thereof;

SIXTH: PROVIDING that said resolution shall be subject to permissive referendum.

DATED: FEBRUARY 5, 1979

ROBERT P. THILL,

Town Clerk

Section 3. After said bond resolution shall take effect, the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper of the Town for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33a of the Consolidated Laws of the State of New York.

Section 4. This resolution shall take effect immediately.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

February 5, 1979

S. F.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION; SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, Lancaster Sanitary Land Fill, Inc., 2255 Bailey Avenue,  
Buffalo, New York, has heretofore been issued a permit and renewals thereof  
to operate a Sanitary Land Fill within the Town of Lancaster for the period  
July 1, 1974 to December 31, 1978 on a parcel of land east of Gunnville Road  
containing approximately 78 acres, and

WHEREAS, the permittee has filed an application with the Town  
Clerk of the Town of Lancaster for a renewal of its permit to operate a  
Sanitary Land Fill on this 78 acre parcel for the year 1979 in accordance  
with the same terms and conditions as the original permit, and

WHEREAS, the Town Clerk by letter, dated December 11, 1978, has  
informed the Town Board that he has reviewed the renewal application and  
also certified that there are no reports or additional license fees in  
arrears,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is  
hereby authorized to issue a renewal permit to Lancaster Sanitary Land Fill,  
Inc., 2255 Bailey Avenue, Buffalo, New York for the purpose of operating a  
parcel of land containing approximately 78 acres, all in accordance with the  
renewal application of the corporation as filed in the Office of the Town  
Clerk, with bond amount hereby set by the Town Board in the amount of  
\$25,000.00, and

BE IT FURTHER

RESOLVED, that the following surety bond be and is hereby approved  
as to form and sufficiency of the surety:

The Travelers Indemnity Company and  
Lancaster Sanitary Land Fill, Inc.  
in the amount of \$25,000.00

and,

BE IT FURTHER

RESOLVED, that so much of the permit approved by the Town Board of the Town of Lancaster on July 1, 1974, set forth in Paragraph 5 thereof, shall be amended by deleting the last sentence of Paragraph 5 and substituting in place and stead thereof, the following:

"The Corporate Permittee shall file with the permit application an annual report with the Town of Lancaster, clearly showing the area of the land fill site filled during the previous year and indicating the percentage of volume of the total site filled."

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYS A VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT, TO WIT:

WHEREAS, the General Fixed Assets Handbook for Municipalities issued by the New York State Department of Audit and Control in August 1978 requires that the governing board shall, by resolution, determine and designate the individual responsible for coordination of the development and maintenance of fixed assets records;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby appoints SAMUEL L. SAEVA as Property Manager, who will be responsible for the coordination of the development and maintenance of fixed assets records, effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

x~~b~~kx

The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT, WHO MOVED ITS  
ADOPTION; SECONDED BY THE ENTIRE TOWN  
BOARD, TO WIT:

WHEREAS, VICTOR H. OTT, Chief of the Police of the Town of Lancaster, has informed the Board of his retirement, effective March 1st, 1979, by letter dated January 23, 1979, and

WHEREAS, said VICTOR H. OTT, has served honorably as a member of the Town of Lancaster Police Department, as Patrolman, Lieutenant, Captain and Chief for over thirty-eight years, his original appointment having been made to the rank of Patrolman on December 27, 1940, and

WHEREAS, the Town Board feels a great debt of gratitude to VICTOR H. OTT for his long years of devoted and unselfish service as a police officer and Chief in the highest traditions of law enforcement and municipal service,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1) That in accordance with the authority vested in the Town Board, pursuant to Section 92 of the General Municipal Law, VICTOR H. OTT is hereby granted the cash payment of the monetary value of accumulated and unused vacation time standing to his credit, that being four weeks and having a monetary value of \$1,808.00, and that the Supervisor be and hereby is authorized to make such payment to the said VICTOR H. OTT upon his termination of service by retirement;

2) That the Town Board of the Town of Lancaster hereby commends VICTOR H. OTT for his long and exemplary service on behalf of the residents of the Town of Lancaster in the various ranks, including Chief of Police, and wishes him on behalf of the residents of the Town of Lancaster, good health and a serene retirement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

xxxxxx

The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, the State Department of Transportation requires an agreement between the Town of Lancaster and its department for a "Safer Off System Roads Program",

NOW, THEREFORE, BE IT

RESOLVED, that the following resolution entitled, "Resolution of the Town Board of the Town of Lancaster approving a Safer Off-System Roads Program project administered by the New York State Department of Transportation and authorizing the municipality to participate to the extent of the non-Federal share of the cost of such project and authorizing the Town Board of the Town of Lancaster to execute an agreement on behalf of the municipality with the New York State Department of Transportation for the performance of the work of such project", be and hereby is adopted:

"WHEREAS, the project, funded under the Federal Aid Safer Off System Roads Program defined in Section 219 of Title 23, United States Code, calls for apportionment of costs for the program to be borne at the ratio of 70% Federal funds and 30% State or local funds, and

WHEREAS, the Town of Lancaster recognized that State funds are not available for the non-Federal share of the project.

NOW, THEREFORE, the Town Board of the Town of Lancaster duly convened does hereby:

RESOLVE, that the Town of Lancaster concurs with the general aspects of the above project and desires that the above-subject be administered by the New York State Department of Transportation; and it is further

RESOLVED, that the Town Board of the Town of Lancaster authorizes the Town to provide the 30% non-Federal share of the costs of the project and hereby authorizes the Town to participate in the cost of the project by providing in-kind services for the project to be performed by local forces; and it is further

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute all necessary agreements on behalf of the Town of Lancaster."

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

XXXX

The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, it has become necessary to extend the existing agreement  
with regard to Walden Pond Park, between the Office of Parks and Recreation  
and the Town of Lancaster, originally executed August 2, 1976, from  
December 31, 1978 to December 31, 1979;

NOW THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is directed to execute  
an agreement extending the original agreement for Walden Pond Park, designated  
as "Office of Parks and Recreation Project No. 75-5052 HCRS No. 36-00386" to  
December 31, 1979.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

XDKPX

The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, Pine Hill Concrete Mix Corporation, 2255 Bailey Avenue, Buffalo, New York, Lancaster Stone Products Corporation, 5833 Main Street, Buffalo, New York, and Buffalo Crushed Stone, Inc. 8615 Wehrle Drive, Williamsville, New York, have filed applications with the Town Clerk of the Town of Lancaster to make excavations within the Town of Lancaster during the year 1979,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

Section 1 - That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Pine Hill Concrete Corporation, 2255 Bailey Avenue, Buffalo, New York, for the purpose of making excavations within the Town of Lancaster during the year 1979 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set by the Town Board in the amount of \$50,000.00.

Section 2 - That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Lancaster Stone Products Corporation, 5833 Main Street, Buffalo, New York, for the purpose of making excavations within the Town of Lancaster during the year 1979 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set by the Town Board in the amount of \$50,000.00.

Section 3 - That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Buffalo Crushed Stone, Incorporated, 8615 Wehrle Drive, Williamsville, New York, for the purpose of making excavations within the Town of Lancaster during the year 1979 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set by the Town Board in the amount of \$50,000.00

and,

BE IT FURTHER,

RESOLVED, that the following surety bonds be and are hereby approved as to form and sufficiency of the surety:

The Reliance Insurance Company and  
Pine Hill Concrete Mix Corporation  
in the amount of \$50,000.00

The Travelers Indemnity Company and  
Buffalo Crushed Stone, Inc. in the  
amount of \$50,000.00

Town of Amherst Bond Anticipation Note  
Nos. 70 and 71 - \$25,000.00 each - and  
Lancaster Stone Products Corporation.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
COUNCILMAN BERENT VOTED YES  
COUNCILMAN BOLENDER VOTED YES  
SUPERVISOR KEWSA VOTED YES  
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

WHEREAS, the Supervisor's Office has reported certain accounts have been encumbered,

RESOLVED, that the following transfers be made on the 1978 books of account of the Town of Lancaster:

	To <u>Account</u>	Amount	From <u>Account</u>	Amount
<b>GENERAL FUND</b>				
Building				
Contractual Expense	1620.4	\$3,920.00		
Contingent Account			1990	\$3,920.00
Traffic Control				
Contractual Expense	3310.4	271.00		
Contingent Account			1990	271.00
Drug Abuse Council				
Contractual Expense	4210.4	60.10		
Personal Services			4210.1	60.10
Youth Services				
Contractual Expense	7311.4	31.50		
Personal Services			7311.1	31.50
<b>HIGHWAY FUND</b>				
ITEM 3-Machinery				
Equipment	5130.2	1,223.00		
Contractual Expense			5130.4	1,223.00
ITEM 4 (Snow Removal)				
Contractual Expense	5142.4	1,778.99		
Employee Benefits				
State Retirement			9010.8	1,778.99
<b>SPECIAL DISTRICTS FUND</b>				
Fire Districts				
Telephone	3414	267.97		
Other			3415	267.97

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

XEMOPX

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN BERENT , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN BARNHARDT , TO WIT:

RESOLVED, by the Town Board of the Town of Lancaster, that during the year 1979, the following officials are hereby authorized to attend the monthly or regular luncheon or dinner meetings of the various official organizations relating to their official duties as Supervisor and Industrial Development Consultant, and that the necessary expenses incurred in traveling to or from said meetings and, in addition thereto, the cost of such meals, not to exceed the sum of \$7.50 per luncheon or dinner, and membership fees are hereby determined a legitimate Town expense for which such officials shall be reimbursed:

Supervisor

Industrial Forum of Eastern Erie County Depew-Elma-Lancaster Chamber of Commerce Alternate Forms of Government Study Group.

Industrial Development Consultant

Industrial Forum of Eastern Erie County Chamber of Commerce

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

XXXX

The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, a public hearing was held on the 15th day of January, 1979,  
for the purpose of amending the Zoning Ordinance and Zoning Map of the Town of  
Lancaster, and

WHEREAS, a Notice of said public hearing has been duly published and  
posted, and

WHEREAS, the Planning Board of the Town of Lancaster and the Planning  
Consultant have recommended the rezone of the hereinafter described parcel of  
real property, and

WHEREAS, in accordance with Section 239(m) of the General Municipal  
Law of the State of New York, the Erie County Department of Planning has  
reviewed such application for rezone and made its recommendation with respect  
thereto,

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of  
Lancaster is hereby amended and changed so that the real property hereinafter  
described is changed from an RC Residence-Restricted Business District and R1  
Single-Family Residence District to a C1 Local Retail Business District;

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town  
of Lancaster, County of Erie, State of New York, being part  
of Lot No. 12, Section 11, Township 11, Range 6 of the Holland  
Land Company's Survey, described as follows:

BEGINNING at a point in the Center line of Transit Road,  
which is the west line of said Lot No. 12, distant Three  
Hundred Seventy Feet (370') northerly from the intersection  
of said center line of Transit Road with the north line of the  
Village of Depew, running thence easterly parallel with north  
line of Village of Depew, Three Hundred Twenty-six and seven-  
tenths (326.7) feet; thence northerly parallel with the center  
line of Transit Road Four Hundred Fifty and Twenty-eight  
hundredths (450.28) feet; thence westerly along the north line  
of lands of Dennis N. Casillo and parallel with the north line of  
the Village of Depew Three Hundred Twenty-six and Seven-tenths  
(326.7) feet to the center line of Transit Road, thence southerly  
along the center line of Transit Road Four Hundred Fifty and

Twenty-eight hundredths (450.28) feet to the point of beginning.

Excepting, that portion thereof lying within the bounds of Transit Road, being the westerly fifty (50) feet of the above described lands.

and

BE IT FURTHER

RESOLVED, as follows:

1. That the said Ordinance amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 5th day of February, 1979 . and
2. That a certified copy thereof be published in the Lancaster Enterprise-Journal on or before February 8, 1979, and
3. That Affidavits of Publication be filed with the Town Clerk, and
4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

February 5, 1979

LEGAL NOTICE

NOTICE OF ADOPTION  
AMENDMENT TO ZONING ORDINANCE  
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster hereby is amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from an RC Residence-Restricted Business District and R1 Single Family Residence District to a C1 Local Retail Business District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot No. 12, Section 11, Township 11, Range 6 of the Holland Land Company's Survey, described as follows:

BEGINNING at a point in the center line of Transit Road, which is the west line of said Lot No. 12, distant Three Hundred Seventy Feet (370') northerly from the intersection of said center line of Transit Road with the north line of the Village of Depew, running thence easterly parallel with north line of Village of Depew Three Hundred Twenty-six and seven tenths (326.7) feet; thence northerly parallel with the center line of Transit Road Four Hundred Fifty and Twenty-eight hundredths (450.28) feet; thence westerly along the north line of lands of Dennis N. Castillo and parallel with the north line of Village of Depew Three Hundred Twenty-six and Seven-tenths (326.7) feet to center line of Transit Road, thence southerly along the center line of Transit Road Four Hundred Fifty and Twenty-eight hundredths (450.28) feet to the point of beginning.

Excepting that portion thereof lying within the bounds of Transit Road, being the westerly fifty (50) feet of the above described lands.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

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RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

ACCOUNT	ORDER NUMBER	TOTAL AMOUNT
General Funds	No. 7633 to 7707 Incl.	\$64,042.55
Part Town Funds	No. 644 to 654 Incl.	\$ 7,220.92
Highway Funds	No. 2248 to 2276 Incl.	\$49,418.21
Special District Funds	No. 357 to 361 Incl.	\$21,496.53
Capital Funds	No. 376 to 376 Incl.	\$21,767.40
CETA Project No. 641	No. 54 to 55 Incl.	\$ 285.46
CETA Project No. 642	No. 32 to 33 Incl.	\$ 1,244.56
CETA Project No. 645	No. 44 to 44 Incl.	\$ 33.31
Community Development Funds	No. 1014 to 1015 Incl.	\$23,740.98
Trust and Agency Funds	No. 295 to 299 Incl.	\$44,846.00

and,

BE IT FURTHER

RESOLVED, that the claim of Edway Construction Company, Inc.,  
dated January 18, 1979, in the amount of \$18,386.10 for the renovation of the  
Town Hall Opera House and the claim of Lane Metal Products Corp., dated  
December 15, 1978, in the amount of \$5,354.88 for the West Lancaster N.P.P.,  
Drainage Improvements be and are hereby approved and the Supervisor be and  
is hereby ordered to submit these claims to the Community Development  
Program for reimbursement.

The question of the adoption of the foregoing resolution was duly  
put to vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEWSA	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

February 5, 1979

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

RESOLVED, that the following Building Permit Applications be and  
are hereby approved and the issuance of Building Permits be and are hereby  
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
8	Marrano Enter.	6 Ravenwood Drive	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
9	Marrano Enter.	9 Ravenwood Drive	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
10	Andy Home Improve.	3764 Bowen Rd.	EXT. FR. SIN. DWLG
11	Marrano Enter.	17 Deerpath Drive	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
12	Marrano Enter.	223 Warner Road	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
13	Knights of Columbus	6114 Broadway	EXT. FR. OFFICE AND RESTAURANT

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEWSA VOTED YES

COUNCILMAN METZ VOTED YES

dkxx

The resolution was, thereupon unanimously adopted,

February 5, 1979

Councilman Bolender requested a suspension of the necessary rule  
for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated January 17, 1979, has requested approval of the Town Board to utilize the services of the Opera House Crew as may be required by the Highway Department from time to time;

NOW, THEREFORE, BE IT

RESOLVED, that the Highway Superintendent of the Town of Lancaster be and is hereby authorized to utilize the services of the Opera House crew as may be required, from time to time, retroactive to January 1, 1979, and

BE IT FURTHER

RESOLVED, that the Opera House crew be compensated, while detailed to the Highway Department, at the same rate of pay they are now receiving in their positions on the Opera House crew, and

BE IT FURTHER

RESOLVED, that any compensation paid to the Opera House crew, while in the service of the Highway Department, shall be charged to the Highway Department Budget.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES  
COUNCILMAN BERENT VOTED YES  
COUNCILMAN BOLENDER VOTED YES  
SUPERVISOR KEYSAY VOTED YES  
COUNCILMAN METZ VOTED YES

dukxx

The resolution was thereupon unanimously adopted.

February 5, 1979

1. Preferential Rights, Erie Lackawanna R.R.  
On December 27, 1978, the Town Board authorized search and title work on this acquisition.
2. Public Improvement Permit Authorization, Lancaster Industrial Park  
On December 18, 1978, the Town Board accepted these public improvements within this industrial park subject to receipt of maintenance security and tendering of title documents.
3. Subdivision Approval, Country View East  
On May 1, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
4. Rezone Petition, Dennis Casillo  
On February 5, 1979, the Town Board approved this rezone. The Town Clerk was directed to remove this item from future Town Board agendas.
5. Rezone Petition, Norman H. and Maryann Bastian  
On November 6, 1978, the Town Board held a public hearing and reserved decision pending an updating evaluation from the new Planning Consultant to be retained after January 1, 1979.
6. Subdivision Approval, Heritage Hills  
On December 4, 1978, the Town Board approved this subdivision and authorized filing of the map cover.
7. Speed Evaluation Survey, Como Park Boulevard  
On January 5, 1979, the N.Y.S. Dept. of Transportation notified the Town Board of the establishment of a 45 mph speed zone on this highway. The County of Erie has installed the required signs. The Town Clerk was directed to remove this item from future Town Board agendas.
8. Public Improvement Permit Authorization, Pleasant Meadow Subdivision, Phase IV.  
On October 16, 1978, the Town Board approved P.I.P. Nos. 59, 60, and 61 for pavement and curbs, water line, and storm sewer.
9. Speed Evaluation Survey, Northwest Area of Township  
On December 18, 1978, the Town Board adopted a resolution requesting an area speed zone for the entire Northwest area of the Township from the N.Y.S. Dept. of Transportation.
10. Public Improvement Permit Authorization, Woodview Estates Subdivision  
On October 2, 1978, the Town Board approved P.I.P. Nos. 54 (water line), 55 (pavement), 56 (storm drain), 57 (sidewalk), and 58 (lighting).
11. Subdivision Approval, Countryside East  
On January 15, 1979, the matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
12. Rezone Petition, Bernhard Stangler  
On January 15, 1979, the matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

The Town Clerk was directed to add the following item to future agendas of the Town Board:

"Traffic Study, Green Arrows at Central and Walden Avenues"

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mrs. Judy Flury, representing the Lancaster-Depew Community Theatre, asked the Town Board if they had made a decision on the installation of a separate meter in Building "H" at the Lancaster Town Center to meter that power which goes just to five (5) street lights at the Lancaster Town Center.

The Supervisor informed Mrs. Flury that they have a cost quotation of \$600.00 for the installation of a separate meter for those street lights and the Building Committee is currently investigating whether or not some other alternate arrangement, rather than the installation of a separate meter, could be arrived at with the Lancaster-Depew Community Theatre thus saving the cost of a meter installation.

COMMUNICATIONS:

63. Town Clerk to Town Board -  
Resume of actions taken in response to  
directions and resolutions of the Town  
Board meeting of 1/15/79.
64. Town Clerk to Lancaster Village Board -  
Inquiry directed as to interest in study of  
green arrow turns installed on traffic signal  
at Central and Walden Avenues.
65. N.Y.S. Dept. of Environ. Conservation to  
John O. Schaefer -  
Transmittal of SPDES Permit Application.
66. Town Engineers to Town Board -  
Transmittal of engineering contract.
67. Voting Machine Service Center to Town Clerk -  
Estimates regarding reconditioning and  
replacement of all counters on three voting  
machines.
68. Mobil Pipe Line Company to Town Clerk -  
Notification of personnel to be contacted  
in an emergency situation.
69. N.Y.S. Div. of Military and Naval Affairs to  
Audit and Control -  
Notification of HUD Forms 481 and 482 regarding  
disaster work having been completed and awaiting  
final audit.
70. N.Y.S. Dept. of Environ. Conservation to  
National Fuel Gas Dist. Corp. -  
Notification that a N.Y.S. Freshwater Wetlands  
Permit must be obtained regarding area of  
Ransom Road.
71. Chief of Police to Town Board -  
Recommendation that the net with trade bid  
of Mid-City Dodge for three police vehicles be  
accepted.
72. N.Y.S. Public Service Commission to Supervisor -  
Notification of various meetings to be held  
regarding New York Telephone Company.
73. Highway Superintendent to Supervisor -  
Request utilization of Opera House crew when  
needed.
74. Supervisor to Town Board -  
Notification of various fund investments during  
December, 1978.
75. N.Y.S. to Supervisor -  
Transmittal of Governmental Insurance Disclosure  
Statement.
76. Town Assessor to Supervisor -  
Comments regarding building permits.
77. Lancaster Fire Dept. to Edway Construction Co.,  
Inc. -  
Notification of actions that will be taken  
regarding fumes from alteration work.

R & F

R & F

Build. Inspector

R & F

Town Clerk

R & F

R & F

R & F

R & F

R & F

R & F

R & F

R & F

Attorney  
Build. Inspector  
Assessor

R & F

COMMUNICATIONS CONT'D.:

78. County Dept. of Environ. and Planning to Supervisor -

Comments in response to complaint letter regarding wet weather problems in Sewer District No. 2 which occurred on 12/31/79.

R & F

79. County Dept. of Environ. and Planning to Supervisor -

Comments regarding ECSD No. 4.

R & F  
Sewer Comm.

80. Belmont Shelter Corp. to County PHA Consortium -  
Update on state of Erie County Renter Assistance Program.

R & F

81. Town of Eden Supervisor to Sen. Daniel P. Moynihan -

Request support for Eden to receive retroactive collector sewer aid.

R & F

82. Supervisor to Supt., Lancaster Central Schools -  
Comments regarding High School retention basin to be completed by Marrano Enterprises.

R & F

83. Supervisor to County Supt. of Public Works and Town of Alden Supervisor -  
Request response to suggestion of participation of parties involved in a water storage system.

R & F

84. The Cayuga Club to Supervisor -

Request representation at meetings regarding consolidation of Town and Village police forces.

R & F

85. Chief of Police to Town Board -

Expression of appreciation for having served with the Town Police Department.

R & F

86. Chief of Police to Town Board -

Notification of resignation effective 3/1/79 and request for reimbursement of vacation days not taken.

R & F

87. Town Engineers to Supervisor -

Comments and cost estimation of continued construction observer services regarding Town hall addition.

R & F

88. County Dept. of Environ. and Planning to Supervisor -

Detailed explanation of District No. 4 bill to Town for 1979.

R & F  
Supervisor

89. Supervisor to Mayor, Village of Depew -

Notification of increased cost of ambulance service with request for budget adjustment.

R & F

90. Lancaster-Depew Community Theatre to Town Clerk and Town Board -

Request correction in utility billing for "H" Building.

R & F  
Building Comm.

91. Town Attorney to County Water Authority -

Transmittal of computations, statement, and Bill of Sale for water main.

R & F

92. Planning Board to Town Clerk -

Minutes from meeting held 1/17/79.

R & F

COMMUNICATIONS CONT'D.:

93. County Comptroller to Supervisor - Assurance of expedition of payments on CETA vouchers.
94. N.Y.S. Assoc. for Retarded Children, Inc. to Supervisor - Formal notification of intent to establish residence for disabled children.
95. The Public Executive Project to Supervisor - Notice of management seminars for public executives during 1979.
96. N.Y.S. Dept. of Transportation to Supervisor - Transmittal of executed copy of Assignment and Authorization regarding acquisition of abandoned Lehigh Valley right-of-way.
97. Malcolm Pirnie, Inc. to Supervisor - Transmittal of Court Street Bridge Preliminary Design Report.
98. Malcolm Pirnie, Inc. to Supervisor - Report indicating that impregnated concrete or polymer concrete for Court Street Bridge are not applicable.
99. Supervisor to David Jerome, Bernard Worth, Roy Stutzman and Paul Ezzo - Recommendation of meeting with Assoc. for Retarded Children regarding proposed establishment of residence.
100. Depew-Lancaster Boys' Club, Inc. to Supervisor - Application for funding under the Community Development Block Grant Rehabilitation Program.
101. Supervisor to Off. of Community Development - Notification of concurrence with Village on intention to develop industrial park.
102. County Executive to Supervisor - Transmittal of letter from Internal Revenue Service regarding County Sewer Districts Income Tax deductions for sewer bills.
103. N.Y.S. Executive Dept. Division for Youth to Supervisor - Notification of approval of County Comprehensive Plan for 1979.
104. Ronco Communications & Electronics, Inc. to Town Clerk - Comments regarding Highway Dept. Ronco telephone system.
105. Town Clerk to Supervisor - Monthly report for January, 1979.
106. Recreation Commission to Town Clerk - Minutes from meeting held 1/19/79.
107. National Fuel Gas Dis. Corp. to Supervisor - Transmittal of agreement between Town and National Fuel to lay gas main along Peppermint Road.

R & F

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Planning Board

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Walter Ibowitz

R & F

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Town Clerk

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COMMUNICATIONS CONT'D.:

108. Niagara Frontier State Park and Recreation Comm.

to Supervisor -

Transmittal of copies of amendment extending project period to 12/31/79 regarding Walden Pond Park.

R & F

109. Dog Warden to Town Board -

Monthly report for January, 1979.

R & F

110. Erie County Dept. of Personnel to Supervisor -

Notification that position of Youth Counselor cannot replace position of Drug Abuse Coordinator.

Supervisor

111. Highway Superintendent to Supervisor -

Notification of proposal from Reynders Electric Co. of \$425.00 for installation of Highway Dept. electrical heaters in Police Garage.

Build. Committee

112. Highway Superintendent to Supervisor -

Notification of estimation of \$600.00 to install separate electric meter in Building "H".

Build. Committee

113. Town Engineers to Dan Márzec Plumbing & Heating, Inc. -

Request price proposal for change order regarding service connections in water lines on Storer Rd. and Transit Blvd.

R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:55 P.M. out of respect to:

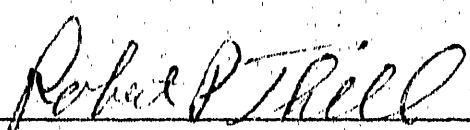
Jerry Brown

Peter Orkisz

Andrew Weaver

Stanley Szewczyk

Signed



Robert P. Thill, Town Clerk